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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/482,032	01/13/2000	David Stanley Bull	043474/258310	6471
826	7590	12/05/2003	EXAMINER	
ALSTON & BIRD LLP BANK OF AMERICA PLAZA 101 SOUTH TRYON STREET, SUITE 4000 CHARLOTTE, NC 28280-4000			KALINOWSKI, ALEXANDER G	
			ART UNIT	PAPER NUMBER
			3626	

DATE MAILED: 12/05/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/482,032

Applicant(s)

BULL ET AL.

Examiner

Alexander Kalinowski

Art Unit

3626

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 23 September 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 33-56 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 33-56 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All   b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. Claims 33-56 are presented for examination. Of originally filed claims 1-32, Applicant filed a preliminary amendment on 1/13/200, canceling 1 and adding claims 33-40. Applicant filed a second preliminary amendment on 1/13/200 canceling claims 2-32. Applicant further filed a third preliminary amendment on 3/2/2000 adding claims 41-44. Applicant further filed an amendment and terminal disclaimer on 11/16/2001, amending claims 33,35,37, 39 and 41-44. Applicant further filed a CPA and a preliminary amendment on 6/7/2003, amending claims 33, 35, 37,39, 41-44 and adding new claims 45-56. Applicant also filed an amendment on 9/23/2003, amending claims 33, 35, 37, 39, 41-45, 47, 49, 51 and 53-56. In light of Applicant's amendment and arguments, the Examiner withdraws the grounds of rejection of claims 33-56 based on 35 USC 103. New grounds of rejection of claims 33-56 are established in the instant office action as set forth in detail below.

### ***Response to Arguments***

2. Applicant's arguments with respect to claims 33-56 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

Art Unit: 3626

invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 33-55 are rejected under 35 U.S.C. 103(a) as being unpatentable over Randle, Pat. No. 5,787,403 in view of Damico et al., Pat. No. 5,819,285 (hereinafter Damico).

As to claims 33, 35, 37, 39, 41-45, 47, 49, 51, and 53-56, Randle discloses a method for managing information using an intermediary gateway device having a corresponding network address (i.e. unit 40)(see Fig. 1 and abstract) and, the method comprising the steps of:

receiving a request to communicate with a network accessible datastore having a particular network address (col. 3, lines 36-45);

and

providing access to the network addressable datastore through the intermediary gateway device wherein the intermediary gateway device controls access to the network addressable datastore (i.e. products and services of other providers P1, P2, ..., PN that are accessible through the gateway)(col. 3, lines 27-67).

Randle does not explicitly disclose

modifying the particular network address of the datastore to incorporate the address of the intermediary gateway device and using the modified network address to access the network addressable datastore

However, Randle discloses using a gateway device to control access to datastores (i.e. products and services of other providers P1, P2, ..., PN that are accessible through the gateway)(col. 3, lines 27-67). Damico discloses modifying the

Art Unit: 3626

particular network address of the datastore to incorporate the address of a source device and using the modified network address to access the network addressable datastore (i.e. a destination URL is formed with redirecting means by substituting the destination URL portion in place of the second portion in the URL WHEREIN the destination URL represents a relative address of the second location on the WWW)(col. 3, lines 22-31 and col. 5, lines 38-47). It would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to include discloses modifying the particular network address of the datastore to incorporate the address of a source device and using the modified network address to access the network addressable datastore as disclosed by Damico within Randle. The motivation to combine was tracking user paths on the Web to determine the identity of the entity that directed the user to the current web site for transactional purposes (col. 1, lines 8-15 and col. 2, lines 15-28).

As to claims 34, 36, 38, 40, 46, 48, 50, and 52, Randle does not explicitly disclose, wherein the modifying step further includes the substep of: modifying the particular network address of the datastore to include the address of the intermediary gateway device.

However, Randle discloses using a gateway device to control access to datastores (i.e. products and services of other providers P1, P2, ..., PN that are accessible through the gateway)(col. 3, lines 27-67). Damico discloses modifying the particular network address of the datastore to include the address of a source device

Art Unit: 3626

and using the modified network address to access the network addressable datastore (i.e. a destination URL is formed with redirecting means by substituting the destination URL portion in place of the second portion in the URL WHEREIN the destination URL represents a relative address of the second location on the WWW)(col. 3, lines 22-31 and col. 5, lines 38-47). It would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to include discloses modifying the particular network address of the datastore to include the address of a source device and using the modified network address to access the network addressable datastore as disclosed by Damico within Randle. The motivation to combine was tracking user paths on the Web to determine the identity of the entity that directed the user to the current web site for transactional purposes (col. 1, lines 8-15 and col. 2, lines 15-28).

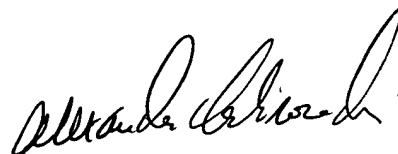
### ***Conclusion***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alexander Kalinowski, whose telephone number is (703) 305-2398. The examiner can normally be reached on Monday to Thursday from 9:00 AM to 6:30 PM. In addition, the examiner can be reached on alternate Fridays.

If any attempt to reached the examiner by telephone is unsuccessful, the examiner's supervisor, Joseph Thomas, can be reached on (703) 305-9588. The fax telephone number for this group is (703) 872-9306 (for official communications including After Final communications labeled "Box AF").

Art Unit: 3626

Hand delivered responses should be brought to Crystal Park 5, 2451 Crystal Drive, Arlington, VA, 7th Floor, receptionist.

A handwritten signature in black ink, appearing to read "Alexander Kalinowski". The signature is fluid and cursive, with a large initial "A" and "K".

Alexander Kalinowski

Primary Examiner

Art Unit 3626

11/29/03